

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

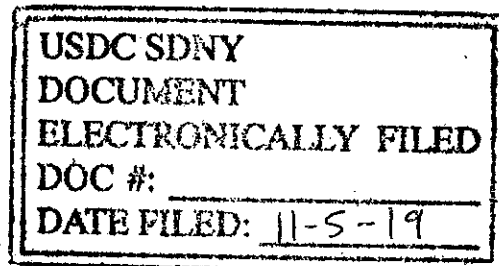
VIRGINIA L. GIUFFRE,

Plaintiff,

-against-

ALAN DERSHOWITZ,

Defendant.



19 Civ. 3377 (LAP)

ORDER

LORETTA A. PRESKA, Senior United States District Judge:

On October 24, 2019, Defendant Alan Dershowitz (hereinafter "Defendant" or "Dershowitz") filed a letter motion with this Court requesting certain pre-Answer discovery that would purportedly be of assistance to the preparation of his forthcoming Answer and Counterclaims. (See Dershowitz Letter Motion Seeking Pre-Answer Discovery, dated October 24, 2019 [dkt. no. 71]). Specifically, Defendant requested that Plaintiff Virginia Giuffre (hereinafter "Plaintiff" or "Giuffre") produce the transcript(s) and exhibits of Plaintiff's deposition in Giuffre v. Maxwell, No. 15 Civ. 7433 (LAP), as well as the transcript and exhibits of Plaintiff's deposition in Edwards et al. v. Dershowitz.

Defendant's request has prompted a flurry of activity in both the above-captioned action and in Giuffre v. Maxwell, No. 15 Civ. 7433 (LAP). The Court directed Defendant's counsel to confer with Plaintiff's counsel on the request and invited Plaintiff's

counsel to inform the Court if he or she disagreed with the request. (See Order re: Conferral on Pre-Answer Discovery, dated October 25, 2019 [dkt. no. 72]). On October 30, 2019, nonparty John Doe objected to Defendant's request on the ground that the request circumvented the unsealing procedures set forth in Giuffre v. Maxwell, No. 15 Civ. 7433 (LAP). (See John Doe Letter re: Pre-Answer Discovery, dated October 30, 2019 [dkt. no. 999 in 15 Civ. 7433]). Dershowitz responded on the same day. (Dershowitz Response to John Doe Letter, dated October 30, 2019 [dkt. no. 1001 in 15 Civ. 7433]). Shortly thereafter, former counsel for Giuffre and counsel for Maxwell also filed letters regarding Defendant's request for pre-Answer discovery. (See Maxwell Letter re: Pre-Answer Discovery, dated November 1, 2019 [dkt. no. 1002 in 15 Civ. 7433]); (see also Giuffre Letter re: Pre-Answer Discovery, dated November 1, 2019 [dkt. no. 1003 in 15 Civ. 7433]). Finally, after conferring with Defendant's counsel, Giuffre's newly-selected counsel filed a letter opposing Dershowitz's request on November 4, 2019. (Giuffre Letter re: Pre-Answer Discovery and Audio Recording, dated November 4, 2019 [dkt. no. 84]).

Defendant's request for pre-Answer discovery is denied on the following grounds:

1. Defendant has not made any showing that pre-Answer discovery is necessary - and not just helpful - to his preparation of an Answer and/or Counterclaims.
2. Defendant has not provided the Court with any justification for departing from the Court-ordered unsealing process in Giuffre v. Maxwell.

SO ORDERED.

Dated: New York, New York
November 5, 2019



LORETTA A. PRESKA
Senior United States District Judge